

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

February 11, 2004

IN RE:
COMPLAINT OF US LEC OF
TENNESSEE, INC. AGAINST
ELECTRIC POWER BOARD OF
CHATTANOOGA

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DOCKET NO.
02-00562

ORDER ESTABLISHING PROCEDURAL SCHEDULE

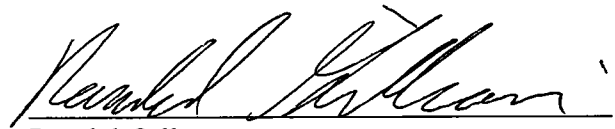
This Docket is before the Hearing Officer for consideration of the *Unopposed Motion for Continuance* ("Motion") filed by US LEC of Tennessee, Inc. ("US LEC") on February 10, 2004. The *Order Establishing Procedural Schedule* ("Procedural Schedule") was issued on January 13, 2004 and set forth the procedural schedule for the remainder of the proceedings in this Docket. The *Procedural Schedule* directed US LEC to file surrebuttal testimony with the TRA and to serve the same on all parties to this Docket no later than Wednesday, February 11, 2004 and set the Hearing for this Docket on Wednesday, February 25, 2004, beginning at 9 00 a.m. The Order also established Wednesday, March 17, 2004 as the deadline for filing post-hearing briefs and for serving the same on all parties to this Docket.

Through its *Motion* US LEC requests that the date for filing surrebuttal testimony be changed to Friday, February 13, 2004 and represents that Counsel for the Electric Power Board of Chattanooga has been contacted regarding this request and does not oppose it. US LEC states in its *Motion* that since the Hearing in this matter is set for February 25, 2004, a brief delay in the filing of rebuttal testimony should not inconvenience the Authority.

The Hearing Officer finds that the requested continuance will not hinder the orderly conduct of this Docket and that the *Motion* is therefore well taken

IT IS THEREFORE ORDERED THAT:

- 1 The *Unopposed Motion for Continuance* is hereby granted.
2. The procedural schedule set forth in the *Order Establishing Procedural Schedule* is hereby modified to the extent that US LEC of Tennessee Inc shall have until **Friday, February 13, 2004** to file surrebuttal testimony in this Docket and to serve the same on all parties to this Docket

A handwritten signature in black ink, appearing to read 'Randal Gilham', is written over a horizontal line.

Randal Gilham
Hearing Officer